

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION**

Daniel McNeal,

Civil No. 07-2494 JNE/AJB

Plaintiff,

v.

**ORDER ON MOTION FOR  
SUMMARY JUDGMENT**

Sherburne County, et al.,

Defendants.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated April 30, 2008, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that defendants' Motion for Summary Judgment [Docket No. 35] is **granted** and that plaintiff Daniel McNeal's amended complaint is **dismissed** with prejudice.

Dated: May 27, 2008

s/ Joan N. Ericksen

Joan N. Ericksen

United States District Court Judge